

**Amendments to the Drawings:**

Please replace all pending drawings (including FIGS. 1, 2A, 2B, and 5-9) with the three sheets of replacement drawings (including FIGS. 1-7) enclosed herewith.

## REMARKS

This is in response to the Office Action mailed October 4, 2007 in which claims 1, 3, 6-16, 18 and 21-30 were rejected. With this amendment, claims 1, 7, 16, and 24-26 are amended. New claims 31-34 are added. Six sheets of replacement drawings are enclosed to replace all pending drawings. All drawing changes, claim amendments, and new claims are fully supported by the specification and drawings. No new matter is added. Claims 1, 3, 6-16, 18, 21-34 are pending in this application.

### Drawings

The Office Action notes an issue regarding the drawings and suggests that replacement drawings be submitted. With this Office Action, replacement drawings are submitted. Please replace FIGS. 1, 2A, 2B, and 5-9 (4 sheets) with the replacement drawings including FIGS. 1-7 (3 sheets). These drawings are the same as those originally submitted except that FIG. 7 has been enlarged to meet the Patent Office requirements. The replacement drawings are intended to cancel the drawing changes submitted on December 9, 2004. No new matter is added.

### §103 Rejections

Claims 1, 3, 6-16, 18 and 21-30 remain rejected under 35 U.S.C. 103(a) as unpatentable over Feldman (U.S. Patent No. 6,299,757) and Gilmartin (U.S. Patent No. 5,795,453), with or without Hedenmo et al. (Analyst, 121, 1996, pp. 1891-1895) or Karube et al. (U.S. Patent No. 5,804,047). The rejections are respectfully traversed for at least the reasons presented in prior papers. However, in an effort to advance this application to allowance, independent claims 1 and 16 are amended.

Claims 1 and 16 now recite a biosensor comprising in part a working electrode comprising conductive ink, at least one enzyme, at least one mediator, and a polymer that provides hydrophilic domains in the conductive ink. Support for this amendment is found in the specification and drawings, such as in the paragraph at page 5, lines 7-15.

Feldman, Gilmartin, Hedenmo, and Karube all fail to teach or suggest a working electrode comprising conductive ink, at least one enzyme, at least one mediator, and a polymer that provides hydrophilic domains in the conductive ink. Further, it would not have been

obvious to incorporate a polymer that provides hydrophilic domains in the conductive ink into the working electrode because there was no known reason to do so. Therefore, the rejection of claims 1 and 16 and associated dependent claims 3, 6-15, 18, and 21-30 should be withdrawn.

#### New Claims

Claim 31 recites a biosensor for determining the concentration of an analyte in a liquid sample, said biosensor comprising: an electrode support; a first electrically conductive track disposed on the electrode support, the track including a working electrode portion, a contact portion exposed for contact with a meter, and a conductive track portion electrically coupled between the working electrode portion and the contact portion, wherein the working electrode portion contains intermixed conductive ink, enzyme, mediator and a polymer that provides hydrophilic domains in the conductive ink; and a second electrically conductive track spaced from the first electrically conductive track and including a second contact portion exposed for contact with a meter.

Feldman, Gilmartin, Hedenmo, and Karube all fail to teach or suggest a first electrically conductive track including a working electrode portion, a contact portion, and a conductive track portion, wherein the working electrode portion contains intermixed conductive ink, enzyme, mediator, and a polymer that provides hydrophilic domains in the conductive ink. Furthermore, it would not have been obvious to include a polymer that provides hydrophilic domains in the conductive ink because there would have been no known reason to do so. Therefore, claim 31 is in condition for allowance. Claim 32 depends from claim 31 and is therefore also allowable.

New claims 33 and 34 depend from independent claims 1 and 16, respectively, and are therefore also allowable.

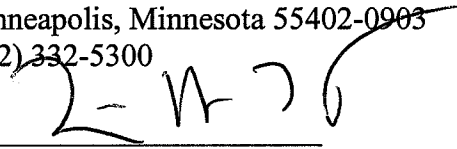
Conclusion

In view of the above amendments and remarks, Applicant respectfully requests a Notice of Allowance. There may be additional reasons that the pending subject matter is patentably distinct from the cited references in addition to those discussed herein. Applicant reserves the right to raise any such arguments in the future. If the Examiner believes a telephone conference would advance the prosecution of this application, the Examiner is invited to telephone the undersigned at the below-listed telephone number.

Respectfully submitted,

MERCHANT & GOULD P.C.  
P.O. Box 2903  
Minneapolis, Minnesota 55402-0903  
(612) 332-5300

Date: March 4, 2008

  
\_\_\_\_\_  
Brian H. Batzli  
Reg. No. 32,960  
BHB/BAT:ae